

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

NO. 4:08CR00009 JLH

NATHANIEL LACY

DEFENDANT

**ORDER**

Nathaniel Lacy has filed an unopposed motion to continue trial and request for mental evaluation. Document #24. The motion is GRANTED.

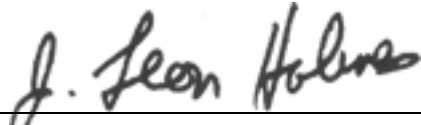
IT IS THEREFORE ORDERED that Nathaniel Lacy be committed to the custody of the United States Marshals Service to await designation of a Bureau of Prisons facility where the psychiatric or psychological examination will be performed. The United States Marshals Service for the Eastern District of Arkansas is directed to notify the Court immediately upon receipt of Nathaniel Lacy's facility designation.

The Court has fully considered the motion to continue and finds that the interests of justice served by granting the continuance outweighs the best interest of the public and defendant for a speedy trial in that the issues herein are such that to deny the motion would deny counsel for defendant the reasonable time necessary for effective preparation for trial and to develop any and all proper defenses which might be averred in the defendant's behalf.

IT IS FURTHER ORDERED that defendant's motion for continuance be, and it is hereby, GRANTED. Docket #24. Therefore, this matter is rescheduled for trial to a jury to begin at 9:15 a.m. the week of **MONDAY, FEBRUARY 2, 2009**, in Little Rock, Arkansas. Counsel are to be present thirty minutes prior to trial. Jury instructions should be submitted to the Court by **January 23, 2009**, on a 3½" diskette in WordPerfect format or electronically to [jlhchambers@ared.uscourts.gov](mailto:jlhchambers@ared.uscourts.gov).

Based on 18 U.S.C. § 3161(h)(1)(A) and (h)(8)(A), this time period is excludable under the Speedy Trial Act.

IT IS SO ORDERED this 5th day of September, 2008.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE